

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

STEVEN HOLT, an individual, and TRY
EXCELLENCE, LLC., an Oregon Domestic
limited liability company,

Plaintiffs,

v.

THE URBAN LEAGUE OF PORTLAND,
INC., an Oregon Domestic non-profit
corporation; NKENG HARMON-JOHNSON,
individually and as President and CEO of THE
URBAN LEAGUE OF PORTLAND, INC.;
MICHAEL LEWELLEN, individually and as
Board Chairman of THE URBAN LEAGUE OF
PORTLAND, INC.; KARIS STODAMIRE-
PHILLIPS, individually and as a Board Member
of THE URBAN LEAGUE OF PORTLAND,
INC.; JAMES MASON, individually and as a
Board Member of THE URBAN LEAGUE OF
PORTLAND, INC.; SEAN MURRAY,
individually and as a Board Member of THE
URBAN LEAGUE OF PORTLAND, INC.;
NATIONAL URBAN LEAGUE, INC., a New
York Domestic not-for-profit corporation;
MARC MORIAL, individually and as President
and CEO of NATIONAL URBAN LEAGUE,
INC.; and TINA PIZZIMENTI, individually and
as the Chief of Staff to CEO Defendant Morial
of Defendant NATIONAL URBAN LEAGUE,

Defendants.

Case No.

COMPLAINT
(DEFAMATION)
(FALSE LIGHT INVASION OF
PRIVACY)
(INTENTIONAL INTERFERENCE
WITH ECONOMIC RELATIONS)

Claimed Amount: \$7,000,000.00

Fee: \$884.00

Fee Authority Pursuant
to ORS 21.160(1)(d)

(Claims Not Subject to
Mandatory Arbitration)

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Comes now Plaintiffs and allege as follows:

1.

Dr. Steven Holt (Hereinafter: “Plaintiff Holt”) is the owner, manager and registered agent of Try Excellence, LLC., an Oregon registered Domestic limited liability company (Hereinafter: “Plaintiff Try Excellence”) with its principal place of business located at 4485 A1 NE Rodney St. in Portland, Oregon 97211.

2.

The Urban League of Portland, Inc., is an Oregon registered Domestic nonprofit corporation (Hereinafter: “Defendant ULP” or collectively with all other not-for-profit or non-profit “corporation” defendants as “Defendants Corporations”) with its primary place of business located at 10 N. Russell St. in Portland, OR 97227.

3.

Nkenge Harmon-Johnson (Hereinafter: “Defendant Harmon-Johnson” or collectively with all other “an individual” Defendant parties as “Defendants Individuals”) is the President and CEO of Defendant ULP and operates primarily out of the main ULP office located at 10 N. Russell St. in Portland, OR 97227.

4.

Michael Lewellen, APR (Hereinafter: “Defendant Lewellen” or collectively with all other “an individual” Defendant parties as “Defendants Individuals”) is the Board Chairman of Defendant ULP and operates primarily out of the main ULP office located at 10 N. Russell St. in Portland, OR 97227.

5.

Karis Stoudamire-Phillips (Hereinafter: “Defendant Stoudamire-Phillips” or collectively with all other “an individual” Defendant parties as “Defendants Individuals”) is a Board Member

1
2 of Defendant ULP and operates primarily out of the main ULP office located at 10 N. Russell St.
3 in Portland, OR 97227.

4 6.

5 Dr. James Mason, PhD. (Hereinafter: “Defendant Mason” or collectively with all other
6 “an individual” Defendant parties as “Defendants Individuals”) is a Board Member of Defendant
7 ULP and operates primarily out of the main ULP office located at 10 N. Russell St. in Portland,
8 OR 97227.

9 7.

10 Sean Murray (Hereinafter: “Defendant Murray” or collectively with all other “an
11 individual” Defendant parties as “Defendants Individuals”) is a Board Member of Defendant
12 ULP and operates primarily out of the main ULP office located at 10 N. Russell St. in Portland,
13 OR 97227.

14 8.

15 The National Urban League, Inc., is a New York State registered Domestic not-for-profit
16 corporation with its primary place of business located at 80 Pine Street., 9th Floor in New York,
17 NY 10005 (Hereinafter: “Defendant NUL” or collectively with all other not-for-profit or non-
18 profit “corporation” defendants as “Defendants Corporations”).

19 9.

20 Marc Morial (Hereinafter: “Defendant Morial” or collectively with all other “an
21 individual” Defendant parties as “Defendants Individuals”) is the President and CEO of
22 Defendant NUL. Defendant Morial operates primarily out of the principal NUL office in New
23 York, NY.

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2 10.

3 Tina Pizzimenti (Hereinafter: “Defendant Pizzimenti” or collectively with all other
4 Defendant parties as “Defendants”) is the Chief of Staff to CEO Defendant Morial of Defendant
5 NUL. Defendant Pizzimenti operates primarily out of the principal NUL office.

6 11.

7 Venue and jurisdiction are proper in Multnomah County, Oregon because the vast
8 majority of events which gave rise to this action occurred in Multnomah County, and the vast
9 majority of Defendants Individuals party in this action; one half of Defendants Corporations; and
10 Plaintiff Try Excellence conduct their business within Multnomah County, Oregon.

11 12.

12 Plaintiff Holt, by and through Plaintiff Try Excellence, has engaged in public speaking
13 and other community engagement events in which Defendant ULP and Defendant NUL, as well
14 as Defendants in their individual capacities and/or in their respective capacities as officers, board
15 members or agents acting on behalf of Defendant ULP and Defendant NUL have also been
16 participants, speakers and facilitators.

17 13.

18 Plaintiff Holt has been building Plaintiff Try Excellence’s reputation and connections in
19 individual, company, corporation, and governmental agency spheres for over 7 years. Plaintiff
20 Holt’s reputation and that of his business Plaintiff Try Excellence are intrinsically intertwined
21 and have been since the business was established in, on or about February of 2015.
22

23 14.

24 Defendants Individuals, acting as individuals and/or in their respective capacities as
25 officers, board members or agents of their respective organizations, Defendants Corporations,
26 and collectively Defendants have falsely claimed that there are allegations of “harassment”
27

1
2 against Dr. Holt and that if he were to participate in certain events, there would be
3 “demonstrations” against his company. The statements concerning “harassment” were and are
4 meant to convey to 3rd parties that the plaintiff has sexually harassed individuals. These
5 statements are categorically false and defamatory.

6
7 15.

8 The above statements were made and published by the defendants in this matter, in their
9 individual capacities and as agents of the National Urban League who are employees and directors
10 of the Urban League have made and published to 3rd parties, including but not limited to Jeff
11 Moreland (who is not a party to this action), and derogatory claims have cast aspersions on
12 Plaintiff Holt’s good reputation with the community and have substantially interfered with his
13 professional pursuits and business endeavors. These baseless allegations were spread with the
14 intent of causing harm to the reputations of Plaintiff Holt and Plaintiff Try Excellence, and such
15 allegations continue to circulate and spread throughout Plaintiff Holt’s professional and personal
16 communities, causing ongoing harm to Plaintiffs’ reputation and business.

17
18 16.

19 Plaintiff Holt’s professional life includes working as a speaker, moderator, facilitator, and
20 minister. Plaintiff Holt is an active member in a number of community organizations,
21 committees, and projects which have been negatively affected and/or threatened by the baseless
22 rumors and insinuations against Plaintiff Holt and Plaintiff Try Excellence. As a result of the
23 actions of Defendants Individuals, Defendants Corporations, and collectively Defendant parties’
24 agents or employees as described in this Complaint, Plaintiff Holt’s position and standing within
25 such organizations, committees, and programs are threatened in the following particulars:

- 26 a. Plaintiff Holt is the chair of the “N/NE Neighborhood Strategies Oversight
27 Committee” for the City of Portland that reports to the City of Portland Housing

Bureau. Plaintiff Holt has held this position as chair for the past 7 years. Plaintiff Holt's professional standing and engagement in this is threatened by the false rumors and allegations a being circulated.

b. Plaintiff Holt is the practicing lead pastor at the Kingdom Nation Church. Persons holding positions of leadership within religious organizations are expected to uphold high ethical and moral standards. Plaintiff Holt's professional standing and engagement in this is threatened by the false rumors and allegations a being circulated.

c. Plaintiff Holt is the National Director of Equity, Diversity and Inclusion for Color Free America, an organization dedicated to promoting an equitable approach to law enforcement, community engagement and political responsibility. Plaintiff Holt currently holds the position of National Director of Equity, Diversity and Inclusion. Plaintiff Holt's professional standing and engagement in this is threatened by the false rumors and allegations a being circulated. The reputation and credibility of the organization is likewise threatened by these allegations.

d. Plaintiff Holt works as a council member for the New Era Apostleship Restitution, which is a ministry training organization. Persons holding positions of leadership within religious organizations are expected to uphold high ethical and moral standards. Plaintiff Holt's professional standing and engagement in this is threatened by the false rumors and allegations a being circulated. The reputation and credibility of the organization is likewise threatened by these allegations.

e. Plaintiff Holt is additionally a trustee of Price University school of Ministry. Persons holding positions of leadership within religious organizations are expected to uphold high ethical and moral standards. Plaintiff Holt's professional standing and engagement in this is threatened by the false rumors and allegations

a being circulated. The reputation and credibility of the organization is likewise threatened by these allegations.

17.

Plaintiff has previously served in multiple community engagement organizations over the course of many years and worked on various projects, the reputation and continual progression of which may also face negative repercussions stemming from the defamation of a former member, particularly one who held a leadership role:

- a. Plaintiff Holt has previously served as a Field Representative for the international men's ministry "Promise Keepers". Persons holding positions of leadership within religious organizations are expected to uphold high ethical and moral standards. Unwarranted damage to Plaintiff Holt's reputation may reflect poorly on the reputation of this organization and potentially impede Plaintiff's ability for meaningful engagement with or leadership in similar organizations and initiatives in the future.
- b. Plaintiff Holt has worked with the City of Gresham on community stabilization for displaced individuals, including focused strategies to assist the African American community. Plaintiff Holt was specifically the Equity Consultant to the City Manager and Deputy City Manager of Gresham Oregon for 4 years. He was also the equity consultant to the Gresham Police Department. Unwarranted damage to Plaintiff Holt's reputation may reflect poorly on the initiatives these initiatives and the potentially harm the interests of the communities he served and potentially impede Plaintiff's ability for meaningful engagement with or leadership in similar organizations and initiatives in the future.

c. Plaintiff Holt has also undertaken important mentorship roles, including as a founding member the Fresh Wind/11:45 Movement, which focused on youth mentorship and gang intervention, and as a college professor at Warner Pacific College. Unwarranted damage to Plaintiff Holt's reputation may reflect poorly on his mentorship roles and potentially impede Plaintiff's ability for meaningful engagement with or leadership in similar organizations and initiatives in the future.

18.

Plaintiff Holt's standing in the community is tightly interwoven with his professional endeavors due to the nature of his work. Plaintiff Holt has built an outstanding professional reputation and successful business by not only promoting but living by his deeply held beliefs in the importance of human connection and vibrant engagement, particularly in the areas of diversity, equity and inclusion. Plaintiff Holt's reputation for integrity impacts not only his professional business Plaintiff Try Excellence, but his personal reputation in the community.

19.

Plaintiff Holt's personal reputation has been negatively impacted as a direct and proximate result of Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective organizations, Defendants Corporations, and collectively Defendants' intentional actions and/or calculated inactions regarding the circulation of untrue allegations and rumors about Plaintiff Holt, causing Plaintiff Holt, both professionally and personally, and Plaintiff Try Excellence to be irreparably damaged.

20.

Plaintiff Holt was made aware of the "harassment" allegations against him in early March 2022 via a phone call from an individual who is not a party to this action. Plaintiff Holt was

1
2 asked to explain the “harassment” situation with Defendant ULP and Defendant NUL, because
3 Plaintiff Holt was being tasked with the facilitation of outreach strategy for the Construction
4 Management and General Contracting work of the I-5 Rose Quarter Project for Raimore
5 Construction. Plaintiff Holt could not tell this individual about the allegations against him, as he
6 had never been informed of any such allegation.

7 21.

8 Plaintiff Holt was scheduled to act as a facilitator and moderator on March 25, 2022, at
9 the high-profile Raimore Construction and Sundt Group “Lunch and Learn”, to appear in tandem
10 with Defendant Morial.

11 22.

12 Plaintiff Holt subsequently also was made aware that Defendant Harmon Johnson of
13 Defendant ULP, acting either in their individual capacity and/or in their representative capacity
14 on behalf of Defendant UPL, had communicated to Defendant NUL’s office that not only was
15 Plaintiff Holt accused of “harassment”, but additionally that Plaintiff Holt should not be allowed
16 on the premises of Defendant ULP. No information regarding this ban or the harassment
17 allegations was directly communicated to Plaintiff Holt by any Defendant; rather, Plaintiff Holt
18 was made aware through communication from a third party, who is not party to this action.

19 23.

20 Upon information and belief, Plaintiff Holt’s removal from this event occurred as a direct
21 result of the defamatory statements alleged above made and published by Defendant Harmon-
22 Johnson, acting either in her individual capacity and/or in their representative capacity on behalf
23 of Defendant UPL as President and CEO of Defendant ULP, to the office of Defendant Morial,
24 acting either in their individual capacity and/or in their representative capacity on behalf of
25 Defendant NUL as President and CEO of Defendant NUL.

26 ///

24.

Plaintiff Holt was made aware on or about March 9, 2022, in an email from Defendant Pizzimenti that that the reason for such cancellation was Defendant Morial, who was intended to be a key-speaker at such event, pulled out of the event upon learning Plaintiff Holt would be acting as facilitator and moderator, and cited Plaintiff Holts' alleged harassment allegations as reason for such recission. Unbeknownst to Plaintiff Holt at the time, upon information and belief, it was further communicated by Defendant Harmon-Johnson through Defendant ULP to event coordinators that should the event continue with Plaintiff Holt's involvement, Defendant ULP would openly protest the event.

25.

As a direct and proximate result of the actions of Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective organizations, Defendants Corporations, and collectively Defendants, Plaintiff Holt has suffered removal from and/or cancellation of multiple event which he was invited to attend in some capacity.

26.

An activist organization threatening to protest an event moderator is objectively extreme, particularly where, as here, the allegations remain undisclosed to the facilitator and moderator, Dr. Holt, and all involved purportedly share substantially similar goals and have collaborated on joint events in the past. This threat is irreparably damaging to Plaintiff Holt's professional reputation and the reputation of Plaintiff Try Excellence, as well as Plaintiff Holt's personal reputation due to the nature of the baseless allegation circulating within and among the communities Plaintiff Holt is engaged with.

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27.

Following the circulation of these false allegations and rumors, Plaintiff Holt has been removed from various events and speaking engagements without explanation, and Plaintiff Try Excellence has loss of revenue and business opportunities. These rumors and false allegations which continue to spread and cause further long-term damage to both his personal and professional life and his company.

28.

Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective organizations, Defendants Corporations, and collectively Defendants have allowed and actively contributed to the defamation of Plaintiff Holt as influential non-profit and/or not-for-profit organizations holding significant status throughout Plaintiff Holt's personal and professional communities. Defendants Corporations, through which Defendants Individuals, acting in their individual capacity and/or in their respective capacities as officers, board members or agents of Defendants Corporations and collectively Defendants spread untrue allegations and unfounded rumors regarding Plaintiff Holt. Allowing these rumors to spread by and through their Board Members has contributed to the damage to Plaintiff Holt's reputation.

29.

Plaintiff Holt has no personal knowledge of any purported harassment, nor the substance of any other allegations disseminated by Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective organizations, Defendants Corporations, and collectively Defendants. Yet Plaintiff Holt, personally and professionally, and Plaintiff Try Excellence continue to be harmed as a result of these unfounded allegations and rumors. Plaintiff Holt and Plaintiff Try Excellence have lost significant business

opportunities and contracts as described in herein, on the basis of the entirely false rumors being circulated claiming Plaintiff Holt “harasses” people.

30.

Neither Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective organizations, nor Defendants Corporations, collectively Defendants, have disclosed to Plaintiff Holt any specific concerns or reasoning for spreading such defamatory and outlandish rumors.

31.

Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective non-profit or not-for-profit organizations, are not protected from liability as officers, board members or agents of their respective organizations because their actions were intentional, malicious and non-negligent, and intended to cause irreparable harm to Plaintiffs.

FIRST CLAIM FOR RELIEF (DEFAMATION)

32.

Plaintiffs re-allege paragraphs 1-31 and any and all subsections as if fully stated herein.

33.

Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective organizations, Defendants Corporations, and collectively Defendants willfully, intentionally and knowingly have engaged in the defamation of both Plaintiff Holt and Plaintiff Try Excellence. The statements, as alleged above, are that Dr. Holt has engaged in harassment of individuals and that if the event described in this

complaint were to occur, the Urban League or other community individuals would protest the event.

34.

Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective organizations, Defendants Corporations, and collectively Defendants have further specifically engaged in defamation of Plaintiff Holt and Plaintiff Try Excellence by intentionally communicating unfounded statements or claims that cast Plaintiff Holt and Plaintiff Try Excellence in a negative light and/or allegations which are defamatory per se. Defendants have refused to recant or withdraw these statements after having been notified in writing by counsel for the plaintiffs of the statements and the demand that they be retracted.

35.

As a direct and proximate result of Defendants Individuals, Defendants Corporations, and collectively Defendant parties' agents or employees willful and knowledgeable engagement in the defamation of Plaintiff Holt and Plaintiff Try Excellence, Plaintiff Holt has suffered in the amount of \$2,000,000.00 in economic damages and \$5,000,000.00 for emotional and mental distress directly arising from reputational damages suffered as a result of those defamatory actions.

SECOND CLAIM FOR RELIEF

(FALSE LIGHT INVASION OF PRIVACY)

36.

Plaintiffs re-allege paragraphs 1-35 and any and all subsections as if fully stated herein.

37.

The harassment allegations and rumors against Plaintiff Holt are false, malicious, and untrue.

38.

Upon information and belief, the nature of the assertions would be highly offensive to a reasonable person.

39.

Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective organizations, Defendants Corporations, and collectively Defendants acted with knowledge of the falsity or reckless disregard for the truth of the assertions being promulgated publicly against Plaintiff Holt and Plaintiff Try Excellence LLC.

40.

Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective organizations, employed the influence and wide-reach of Defendants Corporations to give the false allegations and rumors traction within Plaintiff Holt's personal and professional communities, causing these rumors to reach the public and the large number of people within Plaintiff Holt's personal and professional communities, which intersects with Plaintiff Try Excellence LLC's business community.

41.

The false light in which Plaintiffs have been cast would be considered highly offensive to a reasonable person, particularly given the secular and faith-based leadership roles Dr. Holt serves within his community. The communities within which Plaintiff Holt, Defendants Individuals, and Defendants Corporations interact and do business focuses heavily on community engagement with social justice and equity-centered initiatives.

42.

At all relevant times, it has been reasonably foreseeable that harassment allegations against Plaintiff Holt would be received in a highly negative way by the communities within

1
2 which Plaintiff Holt and Plaintiff Try Excellence engage both professionally and personally.
3 Defendants Individuals, acting as individuals and/or in their respective capacities as officers,
4 board members or agents of their respective organizations, Defendants Corporations, and
5 collectively Defendants knew that Plaintiff is reasonably justified in being seriously offended
6 and aggrieved by this publicity.

7 43.

8 Defendants Individuals, acting as individuals and/or in their respective capacities as
9 officers, board members or agents of their respective organizations, Defendants Corporations,
10 and collectively Defendants have cast Plaintiffs in a false light, causing significant, on-going
11 damages through their unrelenting and extreme misrepresentations about, allegations against and
12 defamation of Plaintiff Holt's character constituting invasion of privacy via false light.

13 44.

14 As a direct and proximate result of Defendants Individuals, acting as individuals and/or in
15 their respective capacities as officers, board members or agents of their respective organizations,
16 Defendants Corporations, and collectively Defendants irreparable invasion of Plaintiff Holts
17 privacy and Plaintiff Try Excellences' privacy, through the negative casting of both Plaintiff Holt
18 and Plaintiff Try Excellence in a false light, both Plaintiffs have suffered irreparable harm and
19 Plaintiff Holt has suffered emotional distress. As a direct and proximate result of the emotional
20 and mental suffering Plaintiff Holt has endured, Plaintiff Holt has suffered economic damages in
21 the amount of \$2,000,000.00 and non-economic damages in the amount of \$5,000,000.00, or an
22 amount to be proven at trial.

23 THIRD CLAIM FOR RELIEF

24 (INTENTIONAL INTERFERENCE WITH ECONOMIC RELATIONS)

25 45.

26 Plaintiffs re-allege paragraphs 1-44 and any and all subsections as if fully stated herein.

46.

Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents on behalf of their respective organizations, Defendants Corporations, and collectively Defendants and Defendants Corporations have interfered with Plaintiff Holt and Plaintiff Try Excellence regarding their professional activities in the following particulars:

- a. Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective organizations, Defendants Corporations, and collectively Defendants have engaged in, encouraged or directed collectively Defendant parties' agents or employees to engage in, support and/or otherwise further the defamation of Plaintiff Holt and Plaintiff Try Excellence as well as the spreading of untrue allegations against them. This interference has adversely impacted Plaintiff Holt's and Plaintiff Try Excellence's advantageous economic relationships, including impeding acquisition of new business ventures and continuation of existing business relationships with existing and prospective business associates, companies, associations, and communities;
- b. Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective organizations, Defendants Corporations, and collectively Defendants have publicly threatened to boycott and protest a high-profile Raimore Construction and Sundt Group "Lunch and Learn" event if Plaintiff Holt and Plaintiff Try Excellence, a confirmed participant and facilitator, attended;
- c. Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective organizations, Defendants

Corporations, and collectively Defendants have forced the cancellation of events and Plaintiff Holt's paid engagements at such without cause;

- d. Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective organizations, Defendants Corporations, and collectively Defendants have invaded Plaintiff Holt and Plaintiff Try Excellence's privacy to paint them in a false light which has directly and indirectly prevented Plaintiff Holt and Plaintiff Try Excellence from continuing and resuming business with multiple prospective and confirmed business associates and companies, associations, and communities.
- e. Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective organizations, Defendants Corporations, and collectively Defendants have negatively impacted Plaintiff Holt and Plaintiff Try Excellence's public image and standing in the professional industries and communities in which Plaintiff Holt and Plaintiff Try Excellence are regularly engaged in and reliant upon for business.

47.

Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective organizations, Defendants Corporations, and collectively Defendants interference with Plaintiff Holt and Plaintiff Try Excellence as described in this Complaint have directly and indirectly prevented Plaintiff Holt and Plaintiff Try Excellence from continuing and resuming business with multiple prospective and confirmed business associates and companies, associations, and communities in the following particulars:

- a. Removal of Plaintiff Holt and Plaintiff Try Excellence, collectively and individually, from consideration or outright cancellation of current and future paid facilitation and mentoring engagements following Defendants Individuals and Defendants Corporations

interference, including but not limited to the cancellation of the high-profile Raimore Construction and Sundt Group “Lunch and Learn” event scheduled for March 25, 2022 which was intended to pay to Plaintiff Holt a total of \$5,000.00 for his participation;

b. Hinderance of Plaintiff Holt’s participation in the various committees and organizations he was involved in prior to Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective organizations, Defendants Corporations, and collectively Defendants’ interference;

c. Hinderance of Plaintiff Try Excellence’s participation in the various committees and organizations he was involved in prior to Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective organizations, Defendants Corporations, and collectively Defendants’ interference;

d. Hinderance of Plaintiff Holt’s and Plaintiff Try Excellence’s service to and engagement with current and prospective business associates.

e. Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective organizations, Defendants Corporations, and collectively Defendants’ interference with Plaintiff Holt and Plaintiff Try Excellence have induced organizations and individuals to avoid entering contracts for work with Plaintiff Holt and Plaintiff Try Excellence, including but not limited to an adverse action on a bid for a \$200,000.00 per year municipal contract for the City of Portland.

48.

Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective organizations, Defendants Corporations,

1
2 and collectively Defendants fully aware of their interference with Plaintiff Holt and Plaintiff Try
3 Excellence's business ventures and job performance.

4
5 49.

6 Defendants Individuals, acting as individuals and/or in their respective capacities as
7 officers, board members or agents of their respective organizations, Defendants Corporations,
8 and collectively Defendants lacked any legitimate reason to interfere with Plaintiff Holt or
9 Plaintiff Try Excellence's business ventures and undertook such interference through improper
10 means which were intended to cause and did cause injury to Plaintiff Holt and Plaintiff Try
11 Excellence.

12
13 50.

14 Plaintiff Holt suffered immediate financial impact regarding the loss of the opportunity to
15 facilitate and moderate the conversation with Defendant Morial at the March 25th event in
16 particular, in the amount of \$5,000.00 for the cancellation of this contract and other such
17 monetary losses due to lost business opportunities.

18
19 51.

20 In addition, other facilitation/moderation opportunities available to Plaintiff Holt have
21 been lost or delayed because of the untrue accusations against him, causing additional economic
22 harm. It was Plaintiff Holt's business plan to host one facilitation/moderation with an influential
23 person at least every other month for six months and then reevaluate to determine if increasing
24 the frequency would be necessary. The ongoing impact of such is the delayed ability to facilitate
25 ongoing outreach strategy, and the potential removal from this portion of the process results in
26 loss of a multi-year contract that could be worth \$200,000.00.

1
2 52.

3 These defamatory statements and baseless rumors have also directly impacted Plaintiff
4 Holts' ability to secure an equity contract with the City of Portland in the amount of \$600,000.00
5 over three years. The indirect ongoing financial impact is associated with the exposure of
6 Plaintiff Try Excellence, LLC and his facilitation capacity and approach as a result of the event
7 that was canceled.
8

9 53.

10 As a direct and proximate result of Defendants Individuals, acting as individuals and/or in
11 their respective capacities as officers, board members or agents of their respective organizations,
12 Defendants Corporations, and collectively Defendants' intentional improper interference with
13 Plaintiff Holt's and Plaintiff Try Excellence's economic relations, both collectively and
14 individually, Plaintiff Holt and Plaintiff Try Excellence have been economically damaged in the
15 amount of \$2,000,000.00 and non-economic damages in the amount of \$5,000,000.00, or an
16 amount to be proven at trial.

17 54.

18 Plaintiff Holt has been damaged by Defendants Individuals, acting as individuals and/or
19 in their respective capacities as officers, board members or agents of their respective
20 organizations, Defendants Corporations, and collectively Defendants' tortious conduct, as
21 described in this Complaint. Defendants Individuals, acting as individuals and/or in their
22 respective capacities as officers, board members or agents of their respective organizations,
23 Defendants Corporations, and collectively Defendants by and through their own actions or
24 calculated intentional inactions, have allowed and engaged in blatant tortious conduct against
25 Plaintiff Holt, causing both non-economic and economic damages to Plaintiff Holt on a personal
26 and a professional scale.
27

55.

Under Oregon's Several Liability Rules, Defendants Individuals and Defendants Corporations are each severally liable for damages to Plaintiff Holt for financial harms and emotional distress, as the actions and calculated intentional inactions reflect a common plan for tortious conduct. Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective organizations, Defendants Corporations, and collectively Defendants may be held severally liable for damages.

56.

Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective organizations, Defendants Corporations, and collectively Defendants common plan to commit tortious action against Plaintiff Holt is clearly reflected in the following particulars:

- a. communications between and among Defendants;
- b. the clear failure and/or deliberate choice of Defendants to act without verifying their allegations or communicating their concerns to or with Plaintiff Holt formally or informally, directly or indirectly,
- c. the clear failure to make any attempt to investigate or verify the alleged actions of Plaintiff Holt;
- d. the refusal to discuss the untrue allegations upon which actions were taken against Plaintiffs;
- e. and the promulgation and publicity of baseless rumors circulated by and among Defendant and throughout the professional and personal communities Plaintiff Holt and Plaintiff Try Excellence.

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FOURTH CLAIM FOR RELIEF
(INJUNCTIVE RELIEF)

57.

Plaintiffs re-allege paragraph 1-56 and any and all subsections as if fully stated herein.

58.

Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective organizations, Defendants Corporations, and collectively Defendants have committed continuous, malicious and intentional tortious acts against Plaintiffs through defamation of Plaintiffs, invasion of Plaintiff's privacy by false light; and through intentional interference with Plaintiffs economic relations, causing extensive and on-going damage the reputations and livelihood of Plaintiff Holt and Plaintiff Try Excellence.

59.

Based upon this pattern of tortious behaviors committed by Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective organizations, Defendants Corporations, and collectively Defendants, if such Defendants are not permanently enjoined from committing further tortious actions against Plaintiffs, it is reasonably likely that they will continue to commit these actions in line with their current patterns, causing further substantial harm to Plaintiffs.

60.

The tortious actions of Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective organizations, Defendants Corporations, and collectively Defendants continue to cause substantial harm to Plaintiffs, and constitute a present risk of injury and harm financially, emotionally and otherwise to Plaintiffs.

///

61.

Defendants Individuals, acting as individuals and/or in their respective capacities as officers, board members or agents of their respective organizations, Defendants Corporations, and collectively Defendants acted in concert with each other to commit tortious actions against Plaintiff Holt and Plaintiff Try Excellence. The actions and inactions of each Defendant severally played a substantial role in harming the Plaintiffs.

62.

Plaintiff Holt and Plaintiff Try Excellence reserve the right to move this court to allow assertion of claims for punitive damages at a later date on each of the claims contained within this Complaint, based upon the aforementioned wrongdoing of all Defendants Individuals and Defendants Corporations, both collectively and individually.

Wherefore, Plaintiffs request the following relief:

1. Judgment in the amount of \$2,000,000.00 in economic damages and \$5,000,000.00 in non- economic damages, or an amount to be proven at trial.
2. An Order permanently enjoining Defendants Individuals and Defendants Corporations directly and indirectly, whether as an officer, director, member, agent, or otherwise from engaging in tortious actions constituting defamation, invasion of privacy via false light, and interference with economic relations against Plaintiff Holt and Plaintiff Try Excellence on Plaintiffs Fourth Claim for Relief.
3. An Order granting Plaintiffs the right to move this Court, at a later date, to allow Plaintiffs' assertion of claims for punitive damages on each of the claims contained within this Complaint.
4. Judgement holding each Defendant Individual and Defendant Corporation severally liable for the damages.
5. Judgment for Plaintiff's reasonable attorney fees and costs.

6. For such other and further relief as the court may deem just and proper.

DATED this 7th day of June, 2022.

CAUBLE & WHITTINGTON, LLP

/s/Christopher L. Cauble

Christopher L. Cauble, OSB No. 962374

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